

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

HOOPA VALLEY TRIBE,

Plaintiff,

v.

UNITED STATES BUREAU OF RECLAMATION; DEBRA ANNE HAALAND, in her official capacity as Secretary of the Interior; MARIA CAMILLE CALIMLIM TOUTON, in her official capacity as Commissioner of the United States Bureau of Reclamation; ERNEST A. CONANT, in his official capacity as U.S. Bureau of Reclamation California-Great Basin Regional Director; and UNITED STATES DEPARTMENT OF THE INTERIOR,

Defendants.

Case No. 1:20-cv-01814-JLT-EPG

DECLARATION OF SABIR AHMAD

I, Sabir Ahmad, declare as follows:

1. I am currently the Acting Finance Manager of Financial Management Division. ("FMD"), where I am managing four branches: the Ratesetting Branch, Accounting Services Branch, Power and Audit Branch, and Special Project Branch. I have 13 years of experience within FMD and had previously served as an Accounting Services Manager, and I currently serve in a permanent position as a Ratesetting Manager. From 2009-2016, I was accountant and supervisor for the Ratesetting Team and since 2022, I am the Ratesetting Branch Chief. From 2016-2022, I was Accounting services Branch Chief.
2. As a Ratesetting Branch chief, my primary areas of responsibilities are development of CVP Ratebooks. Ratebooks are annual communication between Reclamation and Project contractors regarding expected water rate at the beginning on a calendar year. Separate Ratebooks are developed annually for Irrigation and M&I contractors.
3. CVP water contractors generally pay a water rate comprising of Operations, Maintenance and Replacement ("OM&R") cost component; Operation and Maintenance deficit cost component ("O&M Deficit), if applicable; and Construction cost component.

4. The OM&R cost component is an appropriate share of annual costs for routine and recurring operation and maintenance activities at Reclamation facilities within the CVP. The OM&R cost component is a pooled cost among CVP contractors and is allocated based on projected water deliveries and budgeted cost. Budgeted OM&R costs are reconciled annually to reflect actual costs incurred during the year.
5. If a contractor has a deficit, a deficit component is added to the rate to recover outstanding OM&R costs with interest. That deficit component is the O&M Deficit charge and is only owed if the contractor has underpaid OM&R costs.
6. The Construction Cost component covers the original CVP construction costs that has been in plant-in-service at the end of FY 1980 and any other subsequent major additions to CVP. The construction cost component is also a pooled cost based on the facilities that contractors benefit from and is allocated to contractors based on 50-years of historic and projected deliveries and shall be recovered by 2030 in accordance with PL 99-546.
7. The Ratesetting Branch ensures that CVP costs are allocated and recovered in accordance with the Ratesetting Policies i.e., Irrigation Ratesetting Policy and M&I Ratesetting Policy.
8. The CVP rate books include construction costs only for the CVP, not CVPIA facilities. With regards to Restoration Charges the CVP rate book only provides notice of the charges assessed in a given year for irrigation and M&I contractors.
9. When the CVP water rates are collected, monies received from the contractors are deposited to Treasury through the Reclamation fund, and thereafter appropriated back to Reclamation for the operation of CVP as determined by Congress.
10. CVPIA revenues are deposited to specific funds as per CVPIA legislation.

I, declare, under penalty of perjury pursuant to 28 U.S.C. 1746, that the foregoing is to the best of my knowledge true and correct.

Executed this 12th day of January 2023 in Sacramento County of California

Sabir Ahmad